

REMARKS

Claims 8-17 were rejected. Claims 8 and 14-15 are amended. No new matter is added. Claims 8-17 are now pending. The above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance.

Oath/Declaration

The Examiner contends that the declaration submitted November 29, 2006, is defective because the change to the address of Axel Schmidt is non-initialed and/or non-dated. In accordance with the Examiner's instructions, Applicants enclose herewith a new declaration that properly identifies this application by application number and filing date.

Claim objections

The Examiner objected to claim 14, specifically the use of the term "through hole." Applicants have amended the claim as suggested, and therefore respectfully request withdrawal of the objection.

Rejections of claims 8-13 and 15-16 pursuant to 35 U.S.C. § 102(e)

The Examiner rejected claims 8-13 and 15-16 pursuant to 35 U.S.C. § 102(e) as being anticipated by Juhler (U.S. Pat. No. 7,251,340). Applicants respectfully traverse the rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Juhler relates to a microphone suspension for absorbing the vibrations from a boom. The microphone suspension has a pivotable base member mounted to the boom.

Applicants have amended independent claim 8 to include the following limitation:

a receiving unit having a hole for receiving a microphone, said receiving unit being adapted to be placed on a boundary layer; and

Similarly, Applicants have amended independent claim 15 to include the following limitation:

at least one guide element for receiving a microphone, said guide element being adapted to be placed on a boundary layer;

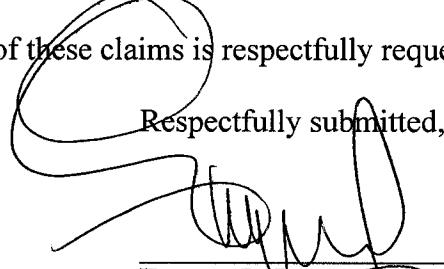
Juhler does not disclose a receiving unit or guide element adapted to be placed on a boundary layer. Juhler's microphone suspension is unrelated to a boundary layer adapter for receiving a microphone. In particular, the suspension is not adapted to be placed on a boundary layer. Thus, Juhler does not disclose each element of independent claim 8 or 15, and therefore Juhler cannot anticipate these claims or their dependent claims. Accordingly, Applicants respectfully request withdrawal of the anticipation rejections of claims 8-13 and 15-16.

Rejections of claims 14 and 17 pursuant to 35 U.S.C. § 103

The Examiner rejected claims 14 and 17 pursuant to 35 U.S.C. § 103 as being unpatentable over Juhler. D

Claims 14 and 17 depend from independent claim 8. As claim 8 is allowable, so must be claims 14 and 17. Accordingly, Applicants respectfully request withdrawal of the obviousness rejections

An early action on the merits of these claims is respectfully requested.


Respectfully submitted,

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